

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PARALLEL SEPARATION INNOVATIONS
LLC,

Plaintiff,

v.

SCHLUMBERGER N.V
(SCHLUMBERGER LIMITED);
SCHLUMBERGER TECHNOLOGY
CORPORATION; SMITH INTERNATIONAL
ACQUISITION CORP.; and M-I L.L.C. dba
M-I SWACO,

Defendants.

Civil Action No. 2:14-cv-00549-JRG

JURY TRIAL DEMANDED

**AGREED STIPULATION OF DISMISSAL OF SMITH INTERNATIONAL
ACQUISITION CORPORATION**

NOW COME the Plaintiff Parallel Separation Innovations LLC (“PSI”) and Defendant Smith International Acquisition Corporation (“Smith”) pursuant to Fed. R. Civ. P. 41(a)(1), who hereby stipulate that all claims and causes of action brought by PSI against Smith in the above-referenced action are hereby dismissed without prejudice.

As grounds for dismissal, Plaintiff states as follows: Plaintiff’s original complaint alleges infringement by Smith and three other Schlumberger-related corporate entities. Smith has denied making, using, selling, offering for sale or importing the accused device, and Smith has not brought any declaratory judgment counterclaims. *See* Dkt. No. 21, at ¶ 12. On July 24, 2014, Plaintiff filed its First Amended Complaint for Patent Infringement (Dkt. No. 27). Based on Smith’s above representation, Plaintiff removed its allegations relating to Smith from its

amended pleading. Thus, since Plaintiff's live pleading does not currently state any cause of action against Smith, dismissal of Smith is necessary and appropriate.

Each party shall bear its own costs and attorneys' fees. This Stipulation of Dismissal is by and between PSI and Smith only, and does not affect any other claims or defenses between PSI and any other parties to the above-captioned litigation.

July 30, 2014

Respectfully submitted,

/s/ Henry Pogorzelski

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/s/ R. William Beard, Jr.

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INTERNATIONAL ACQUISITION
CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

July 30, 2014

/s/ Henry Pogorzelski
Henry Pogorzelski

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that the parties have complied with the meet and confer requirements in Local Rule CV-7(h). Counsel for Defendant Smith International Acquisition Corporation has indicated that it does not oppose the relief requested herein.

July 30, 2014

/s/ Henry Pogorzelski
Henry Pogorzelski